

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

DINH TRAN,)
)
Plaintiff,)
)
)
v.) **5:10-CV-431-H**
)
)
COTY, INC.,)
)
)
Defendant.)

DINH TRAN,)
)
Plaintiff,)
)
)
v.) **5:11-CV-114-H**
)
)
COTY, INC.,)
)
)
Defendant.)

These matters are before the court on the motions to consolidate by the defendant. In reviewing these matters, the court has found that these two matters involve the same parties and the complaints in the two matters are virtually identical. One matter (5:10-CV-431-H) was filed in this court on October 7, 2010. In that matter is currently pending a motion to dismiss. The second matter (5:11-CV-114-H) was originally filed in the

Superior Court of Lee County, North Carolina. Defendant Coty, Inc. ("Coty") removed the case to the United States District Court for the Middle District of North Carolina. Defendant then moved to transfer venue to this court, which was granted by order filed March 14, 2011.

Because both the parties and allegations are virtually identical in both matters, the court hereby grants defendant's motions and consolidates these matters for all purposes. Case Number 5:10-CV-431-H is hereby designated as the lead case. All filings should be made in the lead case only.

Also before the court is defendant's motion to stay in Case Number 5:11-CV-114-H. For good cause shown, the motion is granted, and defendant is given 10 days from the date of this order to file any responsive pleadings required or allowed by the Federal Rules of Civil Procedure.

This 14th day of June 2011.



Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
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